

CENTER TOWNSHIP, HENDRICKS COUNTY

ORDINANCE NO. 6-2025

ORDINANCE TO ESTABLISH THE DANVILLE-CENTER TOWNSHIP FIRE PROTECTION TERRITORY AND TO ADOPT THE DANVILLE-CENTER TOWNSHIP FIRE PROTECTION TERRITORY AGREEMENT, AND TO ESTABLISH AN EQUIPMENT REPLACEMENT FUND

WHEREAS, Ind. Code 36-8-19 permits two (2) or more participating units of local government to establish a fire protection territory to provide fire protection services to those participating units; and,

WHEREAS, The Town of Danville (“Danville”) and Center Township (“Center”) currently collaborate with each other to provide or receive fire protection and Emergency Medical Services (“EMS”); and,

WHEREAS, Danville and Center are contiguous to one another, with Danville’s boundary being within Center Township; and,

WHEREAS, in the formation of a Territory, the participants are permitted to establish an Equipment Replacement Fund pursuant to IC 36-8-19-8.5; and,

WHEREAS, the Town Council of Danville and Center Township Board have determined that it will be in the best interests of the citizens of their units of government to enter an interlocal agreement to form a fire protection territory pursuant to Ind. Code 36-8-19; and,

NOW THEREFORE, IT IS HEREBY RESOLVED THAT:

1. The Town Council of Danville hereby joins together with the Center Township Board both of Hendricks County, Indiana, under the provisions of IC 36-8-19 to establish a fire protection territory.

2. The boundaries of the Danville-Center Township Fire Protection Territory include the municipal boundaries of Danville and extend to the boundaries of unincorporated Center Township.

3. The provider unit shall be the Town of Danville.

4. The participating units shall be Center Township and the Town of Danville. All units involved shall be Participating Units.

5. Upon the adoption of this Ordinance by Danville and a corresponding Resolution by Center, the participating units agree that the property tax rates imposed on all taxable property in Center and Danville, for the services provided by the fire protection territory shall be the same.

6. The agreement to establish the fire protection territory shall include the creation of a Fire Protection Territory Fund by Danville, from which all expenses of operating and maintaining the fire protection services within the territory, including repairs, fees, salaries, depreciation on all depreciable assets, rents, supplies, contingencies, and other expenses lawfully incurred within the territory shall be paid. The money in the fund may be used to repay advances made by either Danville or Center to the fund, if any, or to transfers to the Fire Protection Equipment Replacement Fund.

7. The budget for the Fire Protection Territory Fund shall be approved by Danville, subject to the procedures detailed in the Agreement titled the "Interlocal Cooperation Agreement for the Danville-Center Township Fire Protection Territory." ("Interlocal Agreement") The budget shall be set in an amount sufficient to meet the expenses of operation and maintenance of fire protection services within the territory and to maintain an appropriate operating reserve. After adoption of the fire protection budget, the participating units shall establish the tax levy required to fund the budget, as estimated by the provider unit, subject only to any applicable property tax levy controls.

8. The Interlocal Agreement shall include the establishment of a Fire Protection Equipment Replacement Fund, to be used to purchase fire protection equipment, or other capital needs, including but not limited to real estate or buildings. There shall be a separate levy, on all taxable property. The property tax rate for the Equipment Replacement Fund levy may not exceed three and thirty-three hundredths cents (\$0.0333) per one hundred dollars (\$100) of assessed value.

9. The Interlocal Agreement provides for the establishment of an executive board which shall perform certain administrative, planning, and operating business of the territory with the involvement of all the Participating Units subject to the terms of the Interlocal Agreement. The participating units may delegate such other administrative, budget and fiscal responsibilities of the Territory to the joint executive board of the fire protection territory as provided for in the Interlocal Agreement.

10. The Participating Units designate and establish the Provider Unit the enforcing authority for any uniform fire and building codes of the County or State of Indiana, any ordinances or resolutions of the Participating Units pertinent to the fire protection territory, fireworks or amusement permitting and inspection procedures to be enforced throughout the Territory, including but not limited to IC 36-8-17-7 & 7.5 and to collect any fines or penalties payable to the Territory for violations of any such laws or ordinances. Enforcement may be performed through the fire department, which may be contracted through the joint executive board.

11. The Interlocal Agreement shall also authorize the participating units to do all other acts provided under the provisions of IC 36-8-19 not otherwise agreed upon or limited by the Interlocal Agreement.

12. The Interlocal Agreement shall detail how property held by the territory will be disposed if a participating unit withdraws from the territory or the territory is dissolved.

13. All prior Resolutions, Ordinances, or parts thereof that are inconsistent with any provisions of this Ordinance are hereby repealed.

14. A copy of the Interlocal Agreement is attached hereto and included as part of and incorporated by reference into this Ordinance and enforceable as an Ordinance of the Town and pursuant to the Laws of the State of Indiana.

15. This Ordinance is hereby adopted at the duly noticed meeting of the Town Council of the Town of Danville held this 19th day of March, 2025.

TOWN COUNCIL OF THE TOWN OF
DANVILLE, HENDRICKS COUNTY,
INDIANA

David Potter, President

Bret Doub

Greg Irby

Michael Chatham, Vice-President

Chris Gearld

ATTEST:

Carrie E. Lofton, Clerk-Treasurer
Town of Danville, Hendricks County, IN